IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.253 OF 1989
WITH
CHAMBER SUMMONS NO.1578 OF 2007

Shah & Dattani Associates ...Plaintiff

V/s.

Jagdish Jain & Anr. ...Defendants

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Ms.Sampada Pavnoji i/b Mr.R.N.Narula for Plaintiff.

Ms.N.Z.Khapra for Defendant No.1.

Ms.V.Mirasee i/b M/s.Shah & Sanghavi for Defendant No.2/Applicant in Chamber Summons.

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CORAM: A.M.KHANWILKAR, J.

OCTOBER 23, 2007.

P.C.

1. At the request of Plaintiff, stand over to 21st November 2007, to be listed under caption 'for filing affidavit of evidence and documents'. This adjournment is granted as last opportunity.

2. The affidavit of evidence and documents be filed in the Registry on or before 20th November

2007, failing which, Suit to stand dismissed for non-prosecution without further reference to the Court.

3. If steps are taken in time, list the matter on 21st November 2007.

4. Counsel for the Defendant No.1 submits that she would like to take discharge. It will be open to the said Advocate to take out formal application for discharge and pursue the same.

A.M.KHANWILKAR, J.